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DIRECTOR OF CENTRAL INTELLIGENCE  
**Security Committee**

SECOM-D-081

14 April 1981

NOTE FOR: Mr. G. Philip Hughes  
Assistant to the Assistant to the  
Vice President for National Security Affairs

FROM:   
Acting Chairman

SUBJECT: Unauthorized Disclosures

As you requested on 13 April 1981, attached is material for your consideration in addressing the problem of unauthorized disclosures of intelligence.

Please note that DCI Casey is now in dialogue with the Vice President on this subject, and that Mr. Casey is preparing recommendations for submission to the President. Admiral Inman is prepared to discuss those and the subject in general with Admiral Murphy and/or the Vice President.

Call me if you need further assistance.

Attachments

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SUBJECT: Unauthorized Disclosures

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TAB B

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## THE PRESIDENT

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1-403. *Restricted Membership and Observers.* When the NFIB meets for the purpose of section 1-401(a), it shall be composed solely of the senior intelligence officers of the designated agencies. The senior intelligence officers of the Army, Navy and Air Force may attend all meetings of the NFIB as observers.

1-5. *National Intelligence Tasking Center.*

1-501. *Establishment.* There is established a National Intelligence Tasking Center (NITC) under the direction, control and management of the Director of Central Intelligence for coordinating and tasking national foreign intelligence collection activities. The NITC shall be staffed jointly by civilian and military personnel including designated representatives of the chiefs of each of the Department of Defense intelligence organizations engaged in national foreign intelligence activities. Other agencies within the Intelligence Community may also designate representatives.

1-502. *Responsibilities.* The NITC shall be the central mechanism by which the Director of Central Intelligence:

(a) Translates national foreign intelligence requirements and priorities developed by the PRC into specific collection objectives and targets for the Intelligence Community;

(b) Assigns targets and objectives to national foreign intelligence collection organizations and systems;

(c) Ensures the timely dissemination and exploitation of data for national foreign intelligence purposes gathered by national foreign intelligence collection means, and ensures the resulting intelligence flow is routed immediately to relevant components and commands;

(d) Provides advisory tasking concerning collection of national foreign intelligence to departments and agencies having information collection capabilities or intelligence assets that are not a part of the National Foreign Intelligence Program. Particular emphasis shall be placed on increasing the contribution of departments or agencies to the collection of information through overt means.

1-503. *Resolution of Conflicts.* The NITC shall have the authority to resolve conflicts of priority. Any PRC member may appeal such a resolution to the PRC; pending the PRC's decision, the tasking remains in effect.

1-504. *Transfer of Authority.* All responsibilities and authorities of the Director of Central Intelligence concerning the NITC shall be transferred to the Secretary of Defense upon the express direction of the President. To maintain readiness for such transfer, the Secretary of Defense shall, with advance agreement of the Director of Central Intelligence, assume temporarily during regular practice exercises all responsibilities and authorities of the Director of Central Intelligence concerning the NITC.

1-6. *The Director of Central Intelligence.*

1-601. *Duties.* The Director of Central Intelligence shall be responsible directly to the NSC and, in addition to the duties specified elsewhere in this Order, shall:

(a) Act as the primary adviser to the President and the NSC on national foreign intelligence and provide the President and other officials in the Executive Branch with national foreign intelligence;

(b) Be the head of the CIA and of such staff elements as may be required for discharge of the Director's Intelligence Community responsibilities;

(c) Act, in appropriate consultation with the departments and agencies, as the Intelligence Community's principal spokesperson to the Congress, the news media and the public, and facilitate the use of national foreign intelligence products by the Congress in a secure manner;

(d) Develop, consistent with the requirements and priorities established by the PRC, such objectives and guidance for the Intelligence Community as will



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enhance capabilities for responding to expected future needs for national foreign intelligence;

(e) Promote the development and maintenance of services of common concern by designated foreign intelligence organizations on behalf of the Intelligence Community;

(f) Ensure implementation of special activities;

(g) Formulate policies concerning intelligence arrangements with foreign governments, and coordinate intelligence relationships between agencies of the Intelligence Community and the intelligence or internal security services of foreign governments;

(h) Conduct a program to protect against overclassification of foreign intelligence information;

(i) Ensure the establishment by the Intelligence Community of common security and access standards for managing and handling foreign intelligence systems, information and products;

(j) Participate in the development of procedures required to be approved by the Attorney General governing the conduct of intelligence activities;

(k) Establish uniform criteria for the determination of relative priorities for the transmission of critical national foreign intelligence, and advise the Secretary of Defense concerning the communications requirements of the Intelligence Community for the transmission of such intelligence;

(l) Provide appropriate intelligence to departments and agencies not within the Intelligence Community; and

(m) Establish appropriate committees or other advisory groups to assist in the execution of the foregoing responsibilities.

1-602. *National Foreign Intelligence Program Budget.* The Director of Central Intelligence shall, to the extent consistent with applicable law, have full and exclusive authority for approval of the National Foreign Intelligence Program budget submitted to the President. Pursuant to this authority:

(a) The Director of Central Intelligence shall provide guidance for program and budget development to program managers and heads of component activities and to department and agency heads;

(b) The heads of departments and agencies involved in the National Foreign Intelligence Program shall ensure timely development and submission to the Director of Central Intelligence of proposed national programs and budgets in the format designated by the Director of Central Intelligence, by the program managers and heads of component activities, and shall also ensure that the Director of Central Intelligence is provided, in a timely and responsive manner, all information necessary to perform the Director's program and budget responsibilities;

(c) The Director of Central Intelligence shall review and evaluate the national program and budget submissions and, with the advice of the NFIB and the departments and agencies concerned, develop the consolidated National Foreign Intelligence Program budget and present it to the President through the Office of Management and Budget;

(d) The Director of Central Intelligence shall present and justify the National Foreign Intelligence Program budget to the Congress;

(e) The heads of the departments and agencies shall, in consultation with the Director of Central Intelligence, establish rates of obligation for appropriated funds;

(f) The Director of Central Intelligence shall have full and exclusive authority for reprogramming National Foreign Intelligence Program funds, in accord with guidelines established by the Office of Management and Budget, but shall do so only after consultation with the head of the department affected and appropriate consultation with the Congress;

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(g) The departments and agencies may appeal to the President decisions by the Director of Central Intelligence on budget or reprogramming matters of the National Foreign Intelligence Program.

(h) The Director of Central Intelligence shall monitor National Foreign Intelligence Program implementation and may conduct program and performance audits and evaluations.

1-603. *Responsibility For National Foreign Intelligence.* The Director of Central Intelligence shall have full responsibility for production and dissemination of national foreign intelligence and have authority to levy analytic tasks on departmental intelligence production organizations, in consultation with those organizations. In doing so, the Director of Central Intelligence shall ensure that diverse points of view are considered fully and that differences of judgment within the Intelligence Community are brought to the attention of national policymakers.

1-604. *Protection of Sources, Methods and Procedures.* The Director of Central Intelligence shall ensure that programs are developed which protect intelligence sources, methods and analytical procedures, provided that this responsibility shall be limited within the United States to:

(a) Using lawful means to protect against disclosure by present or former employees of the CIA or the Office of the Director of Central Intelligence, or by persons or organizations presently or formerly under contract with such entities; and

(b) Providing policy, guidance and technical assistance to departments and agencies regarding protection of intelligence information, including information that may reveal intelligence sources and methods.

1-605. *Responsibility of Executive Branch Agencies.* The heads of all Executive Branch departments and agencies shall, in accordance with law and relevant Attorney General procedures, give the Director of Central Intelligence access to all information relevant to the national intelligence needs of the United States and shall give due consideration to requests from the Director of Central Intelligence for appropriate support for CIA activities.

1-606. *Access to CIA Intelligence.* The Director of Central Intelligence, shall, in accordance with law and relevant Attorney General procedures, give the heads of the departments and agencies access to all intelligence, developed by the CIA or the staff elements of the Office of the Director of Central Intelligence, relevant to the national intelligence needs of the departments and agencies.

1-7. *Senior Officials of the Intelligence Community.* The senior officials of each of the agencies within the Intelligence Community shall:

1-701. Ensure that all activities of their agencies are carried out in accordance with applicable law;

1-702. Make use of the capabilities of other agencies within the Intelligence Community in order to achieve efficiency and mutual assistance;

1-703. Contribute in their areas of responsibility to the national foreign intelligence products;

1-704. Establish internal policies and guidelines governing employee conduct and ensure that such are made known to each employee;

1-705. Provide for strong, independent, internal means to identify, inspect, and report on unlawful or improper activity;

1-706. Report to the Attorney General evidence of possible violations of federal criminal law by an employee of their department or agency, and report to the Attorney General evidence of possible violations by any other person of those federal criminal laws specified in guidelines adopted by the Attorney General;

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1-707. In any case involving serious or continuing breaches of security, recommend to the Attorney General that the case be referred to the FBI for further investigation;

1-708. Furnish the Director of Central Intelligence, the PRC and the SCC, in accordance with applicable law and Attorney General procedures, the information required for the performance of their respective duties;

1-709. Report to the Intelligence Oversight Board, and keep the Director of Central Intelligence appropriately informed, concerning any intelligence activities of their organizations which raise questions of legality or propriety;

1-710. Protect intelligence and intelligence sources and methods consistent with guidance from the Director of Central Intelligence and the NSC;

1-711. Disseminate intelligence to cooperating foreign governments under arrangements established or agreed to by the Director of Central Intelligence;

1-712. Execute programs to protect against overclassification of foreign intelligence;

1-713. Instruct their employees to cooperate fully with the Intelligence Oversight Board; and

1-714. Ensure that the Inspectors General and General Counsel of their agencies have access to any information necessary to perform their duties assigned by this Order.

1-8. *The Central Intelligence Agency.* All duties and responsibilities of the CIA shall be related to the intelligence functions set out below. As authorized by the National Security Act of 1947, as amended, the CIA Act of 1949, as amended, and other laws, regulations and directives, the CIA, under the direction of the NSC, shall:

1-801. Collect foreign intelligence, including information not otherwise obtainable, and develop, conduct, or provide support for technical and other programs which collect national foreign intelligence. The collection of information within the United States shall be coordinated with the FBI as required by procedures agreed upon by the Director of Central Intelligence and the Attorney General;

1-802. Produce and disseminate foreign intelligence relating to the national security, including foreign political, economic, scientific, technical, military, geographic and sociological intelligence to meet the needs of the President, the NSC, and other elements of the United States Government;

1-803. Collect, produce and disseminate intelligence on foreign aspects of narcotics production and trafficking;

1-804. Conduct counterintelligence activities outside the United States and coordinate counterintelligence activities conducted outside the United States by other agencies within the Intelligence Community;

1-805. Without assuming or performing any internal security functions, conduct counterintelligence activities within the United States, but only in coordination with the FBI and subject to the approval of the Attorney General;

1-806. Produce and disseminate counterintelligence studies and reports;

1-807. Coordinate the collection outside the United States of intelligence information not otherwise obtainable;

1-808. Conduct special activities approved by the President and carry out such activities consistent with applicable law;

1-809. Conduct services of common concern for the Intelligence Community as directed by the NSC;

1-810. Carry out or contract for research, development and procurement of technical systems and devices relating to authorized functions;

1-811. Protect the security of its installations, activities, information and personnel by appropriate means, including such investigations of applicants,

#### 5-5. *Administrative Sanctions.*

5-501. If the Information Security Oversight Office finds that a violation of this Order or any implementing directives may have occurred, it shall make a report to the head of the agency concerned so that corrective steps may be taken.

5-502. Officers and employees of the United States Government shall be subject to appropriate administrative sanctions if they:

(a) knowingly and willfully classify or continue the classification of information in violation of this Order or any implementing directives; or

(b) knowingly, willfully and without authorization disclose information properly classified under this Order or prior Orders or compromise properly classified information through negligence; or

(c) knowingly and willfully violate any other provision of this Order or implementing directive.

5-503. Sanctions may include reprimand, suspension without pay, removal, termination of classification authority, or other sanction in accordance with applicable law and agency regulations.

5-504. Agency heads shall ensure that appropriate and prompt corrective action is taken whenever a violation under Section 5-502 occurs. The Director of the Information Security Oversight Office shall be informed when such violations occur.

5-505. Agency heads shall report to the Attorney General evidence reflected in classified information of possible violations of Federal criminal law by an agency employee and of possible violations by any other person of those Federal criminal laws specified in guidelines adopted by the Attorney General.

#### SECTION 6. GENERAL PROVISIONS.

##### 6-1. *Definitions.*

6-101. "Agency" has the meaning defined in 5 U.S.C. 552(e).

6-102. "Classified information" means information or material, herein collectively termed information, that is owned by, produced for or by, or under the control of, the United States Government, and that has been determined pursuant to this Order or prior Orders to require protection against unauthorized disclosure, and that is so designated.

6-103. "Foreign government information" means information that has been provided to the United States in confidence by, or produced by the United States pursuant to a written joint arrangement requiring confidentiality with, a foreign government or international organization of governments.

6-104. "National security" means the national defense and foreign relations of the United States.

6-105. "Declassification event" means an event which would eliminate the need for continued classification.

##### 6-2. *General.*

6-201. Nothing in this Order shall supersede any requirement made by or under the Atomic Energy Act of 1954, as amended. "Restricted Data" and information designated as "Formerly Restricted Data" shall be handled, protected, classified, downgraded, and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and regulations issued pursuant thereto.

6-202. The Attorney General, upon request by the head of an agency, his duly designated representative, or the Director of the Information Security Oversight Office, shall personally or through authorized representatives of the Department of Justice render an interpretation of this Order with respect to any question arising in the course of its administration.

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TAB C

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THE WHITE HOUSE  
Washington

May 23, 1960

MEMORANDUM FOR: The Secretary of State  
The Secretary of Defense  
The Attorney General  
The Chairman, Atomic Energy Commission  
The Director of Central Intelligence  
The Chairman, Joint Chiefs of Staff

SUBJECT: Disclosures of Classified Intelligence

Our national security and the continuing success of the intelligence effort of this Government are being adversely affected by the appearance in public information media of classified intelligence, including information tending to reveal intelligence sources and methods. Sources of a continuing nature and methods of intelligence collection have been jeopardized and in some instances great harm has been done to the intelligence effort. I am concerned over the serious damage thus caused to national security. It is clear that certain recipients of classified information, including intelligence, have not been made sufficiently aware of the detrimental effect which their disclosures may have or that such recipients have been careless in the handling of such information.

I direct that immediate action be taken in your respective departments and agencies to prevent the disclosure of classified intelligence except to properly authorized recipients. Further, I direct that action be taken to ensure that the disclosure of classified intelligence be made solely in consonance with applicable statutes, regulations and this directive. Recipients of classified intelligence shall be made especially aware of the damage that can accrue to intelligence sources and methods through the improper disclosure of intelligence. Existing procedures for the control of classified intelligence, and for limiting access thereto, shall be reviewed and corrective action shall be taken where undue reliance upon routine administrative methods or other inadequacies are found.

In particular each department or agency shall conduct a continuing review of its dissemination of classified intelligence with a view to

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ensuring that such dissemination is confined to authorized recipients both within the Government and to consultants and contractors on a strict need-to-know basis. No further dissemination of such information will be made outside of these authorized channels without an assessment by the appropriate Intelligence Chief of the risks to our national security and to the intelligence sources and methods involved.

In keeping with the responsibility vested in the Director of Central Intelligence for the protection of intelligence sources and methods, I shall look to that official to assure the issuance of appropriate guidance to departments and agencies, as required in the implementation of this directive. I shall expect department and agency heads receiving this guidance to see that it is carried out within their departments and agencies. The Director of Central Intelligence shall keep me informed of developments under this directive and make appropriate recommendations, including additional legislation as may be proposed by the United States Intelligence Board.

/s/

Dwight D. Eisenhower



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USIB-C-13.5/49  
29 June 1960

UNITED STATES INTELLIGENCE BOARD

21 June 1960

Agreed Guidance for the Implementation of the Presidential Directive  
on Disclosures of Classified Intelligence

For the purpose of providing guidance in the implementation of the Presidential Directive, the following is agreed upon by the U. S. Intelligence Board. To the extent applicable, this agreed guidance should be incorporated in any regulations or instructions issued in the implementation of the Presidential Directive.

1. The President, in his Directive to the addressee departments and agencies concerned, expresses his concern over the serious damage caused to national security and the harm that has been done to the intelligence effort through the appearance in public information media of classified intelligence tending to reveal intelligence sources and methods. The President directs that immediate action be taken to prevent the disclosure of classified intelligence except to properly authorized recipients. Further, in summarization the President directs certain other actions that:

- a. Disclosures shall be made solely in consonance with applicable statutes and regulations.
- b. Existing procedures for controlling classified intelligence shall be reviewed and corrective action taken where inadequacies

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c. A continuing review shall be made of the dissemination of classified intelligence to ensure that it is confined to authorized recipients on a strict need-to-know basis.

d. The appropriate Intelligence Chief shall assess the risks to the national security and to the intelligence sources and methods when release outside of authorized channels is considered.

e. Recipients of classified intelligence shall be made aware of the damage to intelligence sources and methods through improper disclosure actions.

The President also requires the assurance of the issuance of proper guidance in the implementation of his Directive and that he be informed of developments under this Directive together with appropriate recommendations.

2. The intent of the Presidential Directive is to ensure a greater degree of protection to all classified intelligence and intelligence sources and methods and prevent unauthorized disclosures of classified intelligence information. The results desired by the President can be obtained by strict compliance with applicable controls, statutes and regulations together with careful and continuing review to ensure their adequacy. Further, the proposed disclosure of classified intelligence outside of authorized channels shall be carefully assessed. Of special concern, as a background to this Directive, is the fact that the most damaging disclosures of classified intelligence in the past several

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years have involved vital intelligence sources and methods having a direct bearing on the national security. This classified intelligence has been disseminated officially in channels protected by authorized code words or project designators to those officials having an established need-to-know and properly authorized to receive such information. It is in this area of intelligence dissemination that greater emphasis is needed in indoctrinating all recipients of the detrimental effects of unauthorized disclosures and the requirements for strict compliance with controls governing such information.

3. This guidance is in addition to and does not supersede existing special controls governing the handling of such sensitive intelligence as communications intelligence, code word and certain project designated intelligence. As a matter of policy, only under the most exceptional circumstances should classified intelligence involving sensitive sources and methods be considered for release to the public.

4. The guidance contained in this paper is applicable to all classified intelligence. Certain classified intelligence, due to its sensitive nature, requires special controls. The term "sensitive intelligence" as used in this paper is defined as that classified intelligence which contains information, or which tends to reveal sources or methods, requiring special controls upon its dissemination because its disclosure could lead to counteraction (1) jeopardizing the continued productivity of intelligence sources or methods which provide intelligence

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vital to the national security or (2) offsetting the value of intelligence vital to the national security. Sensitive intelligence within the meaning of the foregoing should be identified by (1) code words authorized for such use, (2) project designators, (3) the marking "WARNING NOTICE - SENSITIVE SOURCES AND METHODS INVOLVED," or (4) any combination thereof.

5. Departmental and agency regulations should include control and review procedures establishing the responsibility of the Intelligence Chief for the assessment of the risks to the national security and to the intelligence sources and methods involved when dissemination of classified intelligence is contemplated outside of authorized channels, including releases to the public. Such control and review procedures should include:

a. Disclosure and Release Control:

(1) A review by intelligence authorities of any classified intelligence proposed for declassification or for use or disclosure in background briefings, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, and other aspects of public relation activities whereby intelligence sources and methods may be revealed. A record should be maintained of any classified intelligence declassified or authorized for disclosure and

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should contain the name of the individual who authorized such action.

(2) Classified intelligence inadvertently discussed with or disclosed to any person or persons not authorized for access to such intelligence should be made a matter of record by the responsible official and reported to the appropriate Intelligence Chief.

(3) Any person having knowledge of any disclosure of classified intelligence made not in accordance with the provisions of the regulations and controls of the department or agency concerned should promptly report it to the appropriate Intelligence Chief for action. Such action may include (a) such steps as are feasible to repair or limit the extent of the damage, (b) a request for investigation by appropriate authorities, (c) an assessment of the possible harm to intelligence sources and methods and notification to intelligence authorities concerned and (d) prompt notification to all official recipients that an unauthorized disclosure has occurred together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

(4) Existing procedures for the control and release of classified intelligence should be reviewed and revised in light

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of the foregoing and should be supplemented by appropriate enforcement provisions. In particular, such procedures should include provisions whereby recipients of sensitive intelligence may determine whether or not individuals with whom they are in contact are authorized to receive such intelligence.

b. Disclosure and Release Techniques:

(1) Each Intelligence Chief should establish procedures for the assessment of risks to the national security and to the intelligence sources and methods involved in any proposed dissemination of classified intelligence outside of authorized channels.

(2) Release procedures should include in the assessment of the risks those ways and means by which an attempt may be made to sanitize intelligence sources and methods. However, before classified intelligence can be sanitized effectively and sensitive sources protected, a plausible source or sources should be available to which attribution may be made if necessary. When this condition exists, then such devices as obscuring or qualifying source attribution by approximating figures, omitting place names and geographical locations, approximating the time and circumstances and altering other factors which may be revealing of the source and method involved should also be used.

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(3) Sensitive intelligence disclosed in official briefings and budgetary reports should be clearly identified from other information utilized in such briefings, and the recipients cautioned when appropriate, of the harmful effects to national security by disclosure of the information to unauthorized recipients. Similar measures should be employed, when appropriate in disclosing sensitive intelligence to those Government officials who deal with public media and who cannot readily be expected to know the origin of all information with which they are dealing.

(4) The proposed release of classified intelligence derived from a joint or combined project of the intelligence community should consider the interests of other intelligence community members participating in the intelligence project.

(5) If a department or agency authorizes the disclosure of sensitive intelligence for any of the purposes set forth in paragraph 5.a. (1), that department or agency is responsible to inform the other members of the USIB of that action together with any sanitized version thereof prepared in accordance with paragraph 5.b. (2).

6. Each department and agency should develop a continuing educational program for all recipients of classified intelligence concerning the damage that can accrue to intelligence sources and methods through

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the improper disclosure of such intelligence. Such a program may include where appropriate (1) specific instances of known unauthorized disclosures of classified intelligence involving sensitive sources and methods, (2) an assessment of the possible harm resulting from such disclosures and (3) examples of the countermeasures that might be taken by foreign intelligence services to negate the information or the sources and methods involved.

7. Current practices for the dissemination of classified intelligence, particularly sensitive intelligence, should be reviewed and revised where necessary in order to ensure protection to intelligence sources and methods. Such should include but not be limited to:

a. Reviewing on a continuing basis the dissemination of classified intelligence with a view to ensuring that such dissemination is confined to authorized recipients on a strict need-to-know basis.

b. Marking of intelligence. When disseminated in bulletins, briefs, and similar documents, sensitive intelligence should be marked to distinguish it clearly from other information normally printed in such documents.

8. Addressees shall consider the need for additional legislation as well as other means to ensure the proper protection of the U. S. intelligence effort.

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Attachment  
USIB-D-9.2/39  
23 April 1971  
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Guidance Governing Disclosures of Classified Intelligence

As pointed out in the President's directive of December 21, 1970, subject "Disclosures of Classified Information and Coordination and Clearance of Official Statements," machinery now exists to protect all classified information. It is recognized that unauthorized disclosures of classified intelligence may involve thoughtlessness in the application of regulations and procedures already in effect. Further, with respect to sources and methods, widespread discussion of this subject, some of it unavoidable but much of it gratuitous, seems to have conveyed an impression in some parts of the Government that there is little, if anything, that is not known to the public. The protection of intelligence sources and methods continues to be of vital importance to our intelligence effort. The true origin of many categories of intelligence information to be used in public release or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

The President's directive of December 21, 1970, refers to the statutory responsibility of the Director of Central Intelligence for the protection of intelligence sources and methods. The National Security Act of 1947 specifically states:

"...And provided further, that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;"

It is not to be expected that all consumers of intelligence, policy makers and others would recognize or be fully alert to potential danger to intelligence sources and methods resulting from release of intelligence. Consequently, it is believed that the intelligence community should take the leading role within their departments and agencies.

Chiefs of all components of the intelligence community should review the existing regulations and impress on all concerned the necessity to abide by them. The following specific actions should be taken:

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OSIB-D-9, 2/39

23 April 1971

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1. Review existing departmental and agency regulations governing the control of classified information to make sure that in every instance they meet the criteria required by the steadily increasing volume and significance of classified intelligence, particularly including sensitive compartmented intelligence. Particular emphasis should be placed on assuring that the need-to-know principle is strictly enforced.

2. Make sure that briefing and indoctrination procedures are reviewed with the objectives of paragraph 1 above in view. These procedures should be so designed as to assure that newly indoctrinated members of the intelligence community and other newly indoctrinated officials of the Government fully understand the differences which exist among various kinds of intelligence, with respect to danger to the source or method which would result from disclosure. It should also be the purpose of these procedures to explain the way in which cleared individuals can readily ascertain the clearance status of others before discussing classified information revealing intelligence sources and methods, and to make sure that they do so.

3. Provide for periodic reindoctrination and continuing education in special security practices and procedures relating to intelligence, in addition to those security procedures established as general policy, to include a program for prompt debriefing of individuals who no longer have a need-to-know.

4. Review procedures for authorizing and controlling disclosures and releases.

a. The responsibility of the intelligence chief for assessing the risk to intelligence sources and methods involved in deliberate disclosures should be delineated. There should be a review and assessment by intelligence authorities whenever any classified intelligence is proposed for declassification or for use in briefings, testimony, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, or other activities in the course of which there is a danger that intelligence sources and methods might be revealed.

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Each assessment should include methods by which such intelligence can be effectively and plausibly sanitized by or with the approval of the originating agency so as to protect the source. Sensitive intelligence to be disclosed should be clearly identified as such and the official disclosing it should be so cautioned when appropriate. This can be particularly important in dealing with some public information officials who cannot be expected to be fully familiar with the origins of such sensitive intelligence. Records should be maintained regarding any classified intelligence declassified or authorized for disclosure.

b. The facts surrounding inadvertent disclosure of classified intelligence to any person or persons not authorized for access to such intelligence should be reported to the appropriate intelligence chief, who will inform the originating agency in any potentially harmful case.

c. Any person having knowledge of any disclosure of classified intelligence made contrary to the regulations and controls of the department or agency concerned should promptly report it to the appropriate intelligence chief for action. Such action may include (1) such steps as are feasible to repair or limit the extent of the damage; (2) a request for investigation by appropriate authorities; (3) an assessment of the possible harm to intelligence sources and methods and notification to all intelligence authorities concerned; and (4) prompt notification to all official recipients that an unauthorized disclosure has occurred, together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

5. Take fully into account, in proposing the release of any intelligence derived from a joint project in the intelligence community, the interests of any other members of the intelligence community which might be concerned. If a department or agency authorizes the disclosure of sensitive

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intelligence from such a source, that agency is responsible for informing other USIB members of the action. Special attention should be given to defining the precise limits of the disclosure and to cautioning against inadvertent elaboration or extension beyond those limits.

6. In conjunction with appropriate authority, take, or assure that disciplinary action is taken where appropriate, in a just, clear, and definite manner which will demonstrate the extreme seriousness with which unauthorized disclosures are viewed. Where a violation of criminal statutes may be involved, any such case should be referred promptly to the Department of Justice.

THE WHITE HOUSE  
WASHINGTON

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December 21, 1970

MEMORANDUM FOR:

The Secretary of State  
The Secretary of Defense  
The Attorney General  
The Director, U. S. Arms Control and  
Disarmament Agency  
The Chairman, Joint Chiefs of Staff  
The Director of Central Intelligence  
The Administrator, National Aeronautics  
and Space Administration

SUBJECT:

Disclosures of Classified Information  
and Coordination and Clearance of  
Official Statements

I am becoming increasingly concerned about the disclosure in public media of classified information bearing upon important aspects of national security, particularly that which tends to jeopardize intelligence sources and methods. Such disclosures present a serious threat to our national interests and I am determined that the practice of releasing such information without proper authorization will be brought to an end.

Executive Order 10501, of December 15, 1953, as amended, established regulations and procedures for safeguarding classified information, while especially sensitive data are protected by special systems of clearances.

I direct that immediate steps be taken within the jurisdiction of each addressee to ensure that existing regulations and procedures

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designed to safeguard classified information be reviewed and strengthened where necessary. These regulations and procedures should assure that only those individuals with a demonstrated "need-to-know" receive classified information and that all recipients are constantly aware of the necessity to protect it from public disclosure. They should provide for an adequate security review of all statements and documents made public on subjects with important security connotations. Further, I wish responsible officials to take firm disciplinary action against individuals under their jurisdiction found responsible for careless or deliberate mishandling of classified information.

The Director of Central Intelligence has the statutory responsibility for the protection of intelligence sources and methods. Accordingly, I shall look to him to provide guidance in this field, especially through the machinery of the intelligence community. I shall expect him to keep me informed of developments and I wish department and agency heads to cooperate fully with him.

I also reaffirm the following instructions which I issued on September 1, 1970 concerning coordination and clearance of public statements and press releases and the necessity for White House clearance of all official communications having policy implications:

--"Public statements and press releases: Prior to release, all public communications on matters of known or potential Presidential interest must be carefully cleared by the White House (Assistant to the President for National Security) for consistency with Presidential policy and for coordination with the departments and agencies who share overlapping interests and responsibilities. Should there be any uncertainty as to Presidential or interdepartmental interest, it will be resolved in favor of clearance."

--"Official communications: All official communications with policy implications must be cleared by the White House. When in doubt, the rule is that messages will be so cleared. This procedure requires close and confidential staff relationships at all levels between the White House and your department as well as among departments."

Signed

RICHARD NIXON

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UNITED STATES INTELLIGENCE BOARD

OFFICE OF THE CHAIRMAN

12


23 April 1971

MEMORANDUM FOR USIB PRINCIPALS

SUBJECT : Guidance Governing Disclosures of  
Classified Intelligence

1. In accordance with the discussion in executive session of the United States Intelligence Board on April 22, 1971, I am attaching two copies of the agreed Guidance Governing Disclosures of Classified Intelligence. This has been concurred in by all addressees of the President's memorandum of December 21, 1970.

2. I am also enclosing, for your information, a copy of my report to the President in response to his memorandum. I would call your attention to the penultimate paragraph of this report. Please note that I have told him I will ask you to make particular efforts to assure that in the case of releases of sensitive and specially-compartmented intelligence the appropriate member of the community be consulted as to potential damage; and that I am asking you to report periodically to me on measures taken within your respective agencies and departments to implement these guidelines.



Richard Helms  
Chairman

Attachments

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Guidance Governing Disclosures of Classified Intelligence

As pointed out in the President's directive of December 21, 1970, subject "Disclosures of Classified Information and Coordination and Clearance of Official Statements," machinery now exists to protect all classified information. It is recognized that unauthorized disclosures of classified intelligence may involve thoughtlessness in the application of regulations and procedures already in effect. Further, with respect to sources and methods, widespread discussion of this subject, some of it unavoidable but much of it gratuitous, seems to have conveyed an impression in some parts of the Government that there is little, if anything, that is not known to the public. The protection of intelligence sources and methods continues to be of vital importance to our intelligence effort. The true origin of many categories of intelligence information to be used in public release or debate must be disguised and the use of all such information must be duly authorized. The responsibility for authorizing release and for devising proper disguise rests with the originating agency.

The President's directive of December 21, 1970, refers to the statutory responsibility of the Director of Central Intelligence for the protection of intelligence sources and methods. The National Security Act of 1947 specifically states:

"...And provided further, that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;"

It is not to be expected that all consumers of intelligence, policy makers and others would recognize or be fully alert to potential danger to intelligence sources and methods resulting from release of intelligence. Consequently, it is believed that the intelligence community should take the leading role within their departments and agencies.

Chiefs of all components of the intelligence community should review the existing regulations and impress on all concerned the necessity to abide by them. The following specific actions should be taken:

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1. Review existing departmental and agency regulations governing the control of classified information to make sure that in every instance they meet the criteria required by the steadily increasing volume and significance of classified intelligence, particularly including sensitive compartmented intelligence. Particular emphasis should be placed on assuring that the need-to-know principle is strictly enforced.

2. Make sure that briefing and indoctrination procedures are reviewed with the objectives of paragraph 1 above in view. These procedures should be so designed as to assure that newly indoctrinated members of the intelligence community and other newly indoctrinated officials of the Government fully understand the differences which exist among various kinds of intelligence, with respect to danger to the source or method which would result from disclosure. It should also be the purpose of these procedures to explain the way in which cleared individuals can readily ascertain the clearance status of others before discussing classified information revealing intelligence sources and methods, and to make sure that they do so.

3. Provide for periodic reindoctrination and continuing education in special security practices and procedures relating to intelligence, in addition to those security procedures established as general policy, to include a program for prompt debriefing of individuals who no longer have a need-to-know.

4. Review procedures for authorizing and controlling disclosures and releases.

a. The responsibility of the intelligence chief for assessing the risk to intelligence sources and methods involved in deliberate disclosures should be delineated. There should be a review and assessment by intelligence authorities whenever any classified intelligence is proposed for declassification or for use in briefings, testimony, symposiums, seminars, speeches, writings for publication, presentations, courses of instruction, press releases, formal and informal interviews with press representatives, or other activities in the course of which there is a danger that intelligence sources and methods might be revealed.

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Each assessment should include methods by which such intelligence can be effectively and plausibly sanitized by or with the approval of the originating agency so as to protect the source. Sensitive intelligence to be disclosed should be clearly identified as such and the official disclosing it should be so cautioned when appropriate. This can be particularly important in dealing with some public information officials who cannot be expected to be fully familiar with the origins of such sensitive intelligence. Records should be maintained regarding any classified intelligence declassified or authorized for disclosure.

b. The facts surrounding inadvertent disclosure of classified intelligence to any person or persons not authorized for access to such intelligence should be reported to the appropriate intelligence chief, who will inform the originating agency in any potentially harmful case.

c. Any person having knowledge of any disclosure of classified intelligence made contrary to the regulations and controls of the department or agency concerned should promptly report it to the appropriate intelligence chief for action. Such action may include (1) such steps as are feasible to repair or limit the extent of the damage; (2) a request for investigation by appropriate authorities; (3) an assessment of the possible harm to intelligence sources and methods and notification to all intelligence authorities concerned; and (4) prompt notification to all official recipients that an unauthorized disclosure has occurred, together with advice of remedial action to be taken and guidance for responses to inquiries from public media representatives that may result from the compromise.

5. Take fully into account, in proposing the release of any intelligence derived from a joint project in the intelligence community, the interests of any other members of the intelligence community which might be concerned. If a department or agency authorizes the disclosure of sensitive

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intelligence from such a source, that agency is responsible for informing other USIB members of the action. Special attention should be given to defining the precise limits of the disclosure and to cautioning against inadvertent elaboration or extension beyond those limits.

6. In conjunction with appropriate authority, take, or assure that disciplinary action is taken where appropriate, in a just, clear, and definite manner which will demonstrate the extreme seriousness with which unauthorized disclosures are viewed. Where a violation of criminal statutes may be involved, any such case should be referred promptly to the Department of Justice.

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